

-3-

D'Azzo *et al.*
Serial No.09/966,893

REMARKS

I. Status of the Claims

New claims 21-24 have been added and claims 1-20 have been cancelled by the present amendment. New claim 21 incorporates elements suggested by the Examiner in the July 1 Office Action. Support for addition of language regarding the glycosylation pattern that comprises exposed mannose residues can be found at page 14, lines 7-8 of the specification. New dependent claims 22-24 correspond to cancelled claims 11-13.

Applicants respectfully request that the present amendment submitted under 37 C.F.R. §1.116 be entered. The present amendment adds no new matter and places the claims in form for allowance. Applicants did not submit this amendment earlier based upon their belief that the unamended claims were sufficiently described and enabled and distinct from the prior art. The present amendment is submitted in the interest of furthering the prosecution of this application. Applicants reserve the right to pursue subject matter removed from the claims by the present amendment in one or more continuation applications.

II. The Interview

Applicants thank Examiner Fronda for the courteous and helpful telephonic interview held on July 15, 2003. During the interview proposed amendments to the claims were discussed for the purpose of overcoming outstanding rejections.

III. The Outstanding Rejections Do Not Apply to the New Claims

New claims 21-24 incorporate amendments suggested by the Examiner in the Office Action to overcome the outstanding written description and enablement rejections made under 35 U.S.C. §112, first paragraph (see last paragraph of items 3 and 4) and 35 U.S.C. §102 (see last

H:\COMMON\OTL\Appln\2001\SJ-01-0020\OA final Response.July2003.doc

-4-

D'Azzo et al.
Serial No.09/966,893

paragraph of item 6). Reconsideration and withdrawal of all outstanding rejections in view of the amendment to the claims is respectfully requested.

VI. Conclusion

In view of the amendment to the claims and the remarks above, it is believed that the Examiner may properly withdraw all rejection of the claims under 35 U.S.C. §102 and §112, first paragraph. Having now fully responded to the Examiner's rejection of the claims, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit early notice of such favorable action. No fee is believed to be required for consideration of this submission. If applicants are incorrect and a fee is required the Commissioner is hereby authorized to charge such fee to Deposit Account No. 501968.

Respectfully submitted,

DRAFT

James Scott Elmer
Attorney for Applicant
Registration No. 36,129

St. Jude Children's Research Hospital
332 North Lauderdale
Memphis, TN 38105-2794
Telephone: 901-495-2756

Date: July 16, 2003

H:\COMMON\OTL\Appln\2001\SI-01-0020\OA final Responsc.July2003.doc